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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,859	11/30/2003	Frank T. Brzozowski		2177

7590

07/10/2006

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EXAMINER

HAYES, BRET C

ART UNIT

PAPER NUMBER

3644

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental  
Notice of Allowability**

Application No.

10/724,859

Examiner

Bret C. Hayes

Applicant(s)

BRZOZOWSKI, FRANK T.

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications around 11 MAY 06.
2. ☒ The allowed claim(s) is/are 59-61,63-66,68-74 and 77.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The written specification has been amended as follows: between pages 15 & 17, --barb 44 will be 135-degree; and if one outer hook barb 44 is 30-degrees, the other outer barb 44 will be 150-degrees. This upward placement of the barbs 44 that are parallel to the bottom surface allows the horizontal unilateral three-pronged hook 41 to drag upon the bottom of the water without the prongs being caught on debris. A horizontal unilateral 3-prong hook 41 has a tendency to fall onto its horizontal side. When the leader 13 of a horizontal unilateral 3-prong hook 41 is jerked, the force toward the eye 43 causes a horizontal unilateral 3-prong hook 41 to flip upright.

In figure 9, a third embodiment, a horizontal unilateral three-pronged hook 41 of the bottom fish rig 12 is illustrated and will be described. A horizontal unilateral three-pronged hook 41 is connected to a snap 46 and a swivel 48 that are attached to a leader 13. A horizontal unilateral three-pronged hook 41 has three equidistant barbs, a vertical center hook barb 45 and a pair of symmetrical outer hook barbs 44 which are disposed within the 180 degree section. As compared to figure 1 the third embodiment has a longer shank 42 and a smaller center hook barb 45 and smaller outer hook barbs 44. This upward and inward placement of the barbs 44 allows the horizontal unilateral three-pronged hook 41 to slide without snagging.

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In figure 10, a fourth embodiment, a horizontal unilateral three-pronged hook 41 of the bottom fish rig 12 is illustrated and will be described. A horizontal unilateral three-pronged hook 41 has a shorter vertical center hook barb 45 and a pair of symmetrical outer hook barbs 44 which are disposed within the 180 degree section. This upward and inward placement of the barbs 44 allows the horizontal unilateral three- pronged hook 41 to slide without snagging.

In figure 11, a fifth embodiment, a horizontal unilateral three-pronged hook 41 of the bottom fish rig 12 is illustrated and will be described. A horizontal unilateral three- pronged hook 41 has a longer vertical center hook barb 45 and a pair of symmetrical outer hook barbs 44 which are located within the 180 degree section. This upward and inward placement of the barbs 44 allows the horizontal unilateral three-pronged hook 41 to slide without snagging and to flip upright as the leader is being reeled.

While a preferred embodiment of the bottom fish rig has been described in detail, it should be apparent that modifications and variations thereto are possible, all of which fall within the true spirit and scope of the invention. With respect to the above--, has been inserted; and, the claims have been amended as follows:

claim 73, original lines 2 – 12, incorrectly cited as 2 – 10 previously, have been replaced with --the central longitudinal groove is external--.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bret C. Hayes whose telephone number is (571) 272 6902. The examiner can normally be reached on M-F 5:30 am to 4:00 pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone can be reached on (571) 272 6873. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bh

11-May-06



MICHAEL J. CARONE  
SUPERVISORY PATENT EXAMINER